



Patent

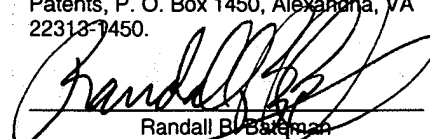
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Walter M. Bain
SERIAL NO.: 10/755,849
FILING DATE: January 12, 2004
TITLE: AUTOMATED PRESCRIPTION
DISPENSING SYSTEM AND
METHOD OF USE

ART UNIT: 3653
EXAMINER: Jeffrey A. Shapiro
DOCKET NO.: 1311.DDN.CN

**CERTIFICATE OF MAILING
UNDER 37 C.F.R. § 1.8**

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail, postage prepaid, under 37 C.F.R. § 1.8 on the date indicated below and is addressed to Mail Stop Amendment - AF, Commissioner of Patents, P. O. Box 1450, Alexandria, VA 22313-1450.


Randall B. Berman

Feb. 9, 2006
Date of Deposit

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(c)(2) or
ALTERNATIVELY UNDER 37 C.F.R. § 1.97(d)**

Mail Stop Amendment - AF
Commissioner of Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. § 1.98(a)(1), enclosed is Form PTO-1449 which contains a list of all patents, publications, or other items that have come to the attention of one or more of the individuals designated in 37 C.F.R. § 1.56(c). Applicant respectfully submits that this Information Disclosure Statement is filed pursuant to 37 C.F.R. § 1.97(c)(2) or 1.97(d), has enclosed a check in the amount of \$180.00 for entry of this Information Disclosure Statement and requests that the references cited in the enclosed form PTO-1449 be made of record in the above-captioned application.

Applicant submits the Information Disclosure in the alternative, as applicant believes that the final rejection was premature and improper under MPEP § 706.07.

While no representation is made that any of these references may be "prior art" within the meaning of that term under 35 U.S.C. §§ 102 or 103, the enclosed list of references is disclosed so as to fully comply with the duty of disclosure set forth in 37 C.F.R. § 1.56.

Moreover, while no representation is made that a specific search of office files or patent office records has been conducted or that no better art exists, the undersigned attorney of record believes that the references listed, together with any other references which may have been previously submitted or listed, are the closest to the claimed invention (taken in its entirety) of which the undersigned is presently aware, and no reference which is more relevant to the claimed invention (taken in its entirety) has been knowingly withheld.

In accordance with 37 C.F.R. §§ 1.97 and 1.98, a copy of each listed reference (or relevant portion thereof) which was not previously submitted to, or cited by, the Patent Office is also enclosed.

Any listed reference that is not in the English language is accompanied by a concise explanation in English of its relevance as required under 37 C.F.R. § 1.98(a)(3)(I).

I hereby certified that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the information disclosure statement.

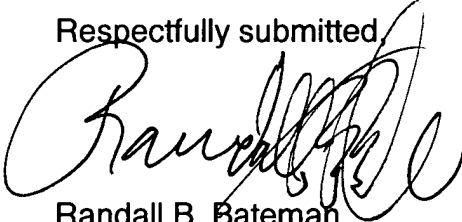
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Page 3

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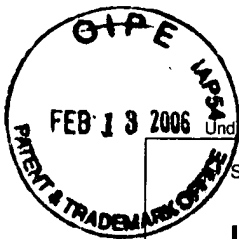
No. 502720.

DATED this 4th day of February, 2006.

Respectfully submitted

A handwritten signature in black ink, appearing to read "Randall B. Bateman", written over the typed name.

Randall B. Bateman
Attorney for Applicant
Registration No. 37774
8 East Broadway, Suite 550
P. O. Box 1319
Salt Lake City, Utah 84110
(801) 533-0320 telephone
(801) 533-0323 facsimile



Substitute for form 1449/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Complete if Known

Application Number	10/755,849
Filing Date	01/12/2004
First Named Inventor	Walter M. Bain
Art Unit	3653
Examiner Name	Shapiro, Jeffery A.
Attorney Docket Number	1311.DDN.CN

Sheet	1	of	4
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U.S. PATENT DOCUMENTS

Examiner Initials	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		3,786,421	01-15-1974		
		3,941,977	03-02-1976		
		3,943,335	03-09-1976		
		4,359,631	11-16-1982		
		4,519,522	05-28-1985		
		4,546,901	10-15-1985		
		4,812,629	03-14-1989		
		4,814,592	03-21-1989		
		4,839,505	06-13-1989		
		4,858,743	08-22-1989		
		4,866,255	09-12-1989		
		4,896,024	01-23-1990		
		4,951,308	04-21-1990		
		4,995,498	02-26-1991		
		5,013,897	05-07-1991		
		5,020,958	06-04-1991		
		5,036,472	07-30-1991		
		5,042,686	08-27-1991		
		5,088,586	02-18-1992		
		5,095,195	03-10-1992		
		5,105,978	04-21-1992		

FOREIGN PATENT DOCUMENTS

Examiner Initials	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code* Number Code* Kind Code ⁵ (if known)				

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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				Application Number	10/755,849
				Filing Date	01/12/2004
				First Named Inventor	Walter M. Bain
				Art Unit	3653
				Examiner Name	Shapiro, Jeffrey A.
Sheet	2	of	4	Attorney Docket Number	1311.DDN.CN

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		Number-Kind Code ² (if known)			
		5,113,351	05-12-1992		
		5,139,384	08-18-1992		
		5,159,560	10-27-1992		
		5,172,829	12-22-1992		
		5,205,436	04-27-1993		
		5,212,649	05-18-1993		
		5,283,322	02-01-1994		
		5,303,844	04-19-1994		
		5,313,393	05-17-1994		
		5,445,294	08-29-1995		
		5,445,295	08-29-1995		
		5,468,110	11-21-1995		
		5,482,139	01-09-1996		
		5,499,707	03-19-1996		
		5,502,944	04-02-1996		
		5,593,267	01-14-1997		
		5,713,648	02-03-1998		
		5,720,154	02-24-1998		
		5,748,485	05-05-1998		
		5,790,409	08-04-1998		
		5,797,515	08-25-1998		

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		Number-Kind Code ² (if known)			
		5,839,257	11-24-1998		
		5,880,443	03-09-1999		
		5,893,697	04-13-1999		
		5,945,651	08-31-1999		
		5,971,593	10-26-1999		
		6,003,006	12-14-1999		
		6,068,156	05-30-2000		
		6,131,399	10-17-2000		
		6,152,364	11-28-2000		
		US 6,170,230 B1	01-09-2001		
		US 6,199,720 B1	03-13-2001		
		US 6,230,930 B1	05-15-2001		
		US 6,324,520 B1	11-27-2001		
		US 6,354,498 B1	03-12-2002		
		US 6,370,841 B1	04-16-2002		
		US 6,397,193 B1	05-28-2002		
		US 6,397,126 B1	05-28-2002		
		US 6,416,270 B1	07-09-2002		
		US 6,438,451 B1	08-20-2002		

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		US 6,449,627 B1	09-10-2002		
		US 6,449,927 B2	09-17-2002		
		US 6,464,142 B1	10-15-2002		
		US 6,471,089 B2	10-29-2002		
		US 6,499,627 B2	12-31-2002		
		US 6,505,754 B1	01-14-2003		
		US 6,522,772 B1	02-18-2003		
		US 6,533,170 B1	03-18-2003		
		US 6,556,889 B2	04-29-2003		
		US 6,564,121 B1	05-13-2003		
		US 6,581,798 B2	06-24-2003		
		US 6,584,309 B1	06-24-2003		
		US 6,594,549 B2	07-15-2003		
		US 6,597,970 B1	07-22-2003		
		US 6,611,810 B1	08-26-2003		
		US 6,697,704 B2	02-24-2004		
		US 6,766,218 B2	07-20-2004		

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